

MINUTES
PLANNING COMMISSION
OCTOBER 14, 2014 – 7:00 P.M.
TOWN HALL ANNEX – COMMUNITY ROOM 2

Chairman Sherrard called the meeting to order at 7:09 p.m.

I. ROLL CALL

Regular members present: Sherrard, Pritchard, Steinfeld
Alternate members present: Fitzgerald, Tarbox, Zod
Absent: Kane, Munn
Staff present: Reiner, Cullen, Glemboski, Silsby

Chairman Sherrard appointed Zod to sit for Kane and Tarbox to sit for Munn.

II. APPROVAL OF THE FOLLOWING MINUTES OF September 23, 2014

MOTION: To adopt the Planning Commission minutes of September 23, 2014, as amended

Motion made by Pritchard, seconded by Steinfeld, so voted unanimously in favor

III. PUBLIC COMMUNICATIONS

Pritchard referred to the upcoming Committee of Chairperson's meeting scheduled for Monday, October 20, 2014 at 6:00 p.m. Additional information was given about the topics that are on the agenda. Other Planning Commission members were encouraged to attend.

Staff distributed the current Avalonia newsletter for review.

IV. SITE PLANS

1. Proposed Restaurant, 27-29 West Main Street (SIT14-08)

Eric Burns of Jerome Properties reviewed the proposal to prepare the site for a restaurant, even though no end user has been determined yet. He stated that the Zoning Commission granted a special permit on June 4, 2014. He spoke about the growing trend for more restaurants and entertainment in districts, such as the Mystic downtown area.

Gregg Fedus, Fedus Engineering, 70 Essex Street, Mystic, explained the change of use request from retail to restaurant. He referred to the special permit approval and distributed photos of the site, which were entered into the record. Plans were reviewed and photos were discussed. Information was given about a seasonal outside patio, crushed stone, pervious pavers, and a 6.75% decrease in impervious surface. The plan includes an area of positive drainage adjacent to the trash area, which will include crushed stone and filter fabric. The site plan dated August 12, 2014, which was revised on August 29, 2014, was reviewed. Other specifics were given about lighting and setbacks. Specifics were given about the existing parking requirements and the additional parking required with the change to a restaurant. A parking validation

program with the Mystic Art Center will be used and the applicant has currently leased 15 spaces for employees at 31 Water Street. The applicant is on the list for leasing spaces at the Mystic Art Center when their expansion is complete. The storm water system, signs, and drainage flow paths were noted.

Burns detailed the large list of property owners who were approached to obtain more parking for the use.

Staff explained that additional reviews by the Ledge Light Health District and the Fire Marshal will need to occur prior to a Certificate of Occupancy. These reviews will take place once the interior of the restaurant is finalized with the end user. During the special permit process, topics brought up for discussion included lighting, hours of operation, and outdoor music. She noted that no outside music performances will take place. Background information was given about parking. Staff felt that the applicant made an extensive effort to attain parking spaces from nearby businesses.

Inquiries were made about the impervious surface under the dumpster, the use of a fabric filter, a buffer, and about grease traps. The grease trap will be an indoor recovery unit.

Fedus confirmed that no outdoor music will be played. Signs will be used to discourage patrons from entering from the patio. The fire marshal and the Ledge Light Health District has been notified and found no problems with the proposal. The loading dock will be used for supply deliveries. The size of the patio was noted. Additional future parking spaces at the Mystic Art Center were discussed.

Concerns were raised about not having a buffer on the patio, between the dumpster area and the tables. Members felt that a note should be written on the plans to install some kind of a buffer behind the patio and the dumpster area. The applicant had no problem with adding this item to the plans.

An inquiry was made about leased parking spaces in the downtown area and whether a file exists showing who has access to each space. Staff stated that the last time this information was reviewed was 2003, and has not been updated since. It was noted that the importance of having those inventories would be very helpful at this point in time. In terms of there being a limit on the amount of seats that can be allowed on site, the Chairman inquired whether the Planning Commission will be able to review this plan once an end user has been determined. Due to the applicant's desire to utilize additional parking from 31 Water Street, concerns were raised about the possibility of parking spaces not being available from them in the future.

Staff stated that the deadline to act on this application is November 15, 2014. She added that the Building Official has reviewed the plan. Staff noted that the applicant is basing the parking plans on something that has not yet been built yet. An inquiry was made as to whether a more in-depth parking study should be done. Staff noted that there are 2 additional spaces at the back of the building, designated for a loading area. A suggestion was made about stipulating these 2 spaces for patron parking when not in use as a loading zone. Specific hours for the loading zone could be set. Staff stated the application would not go back to the Planning Commission for review unless the intensity of the use increased and required more parking. Discussion followed about adding a stipulation that the Planning Commission review final plans if square footage changes are proposed at a later date. The Planning Commission agreed

to add a note to the plans about utilizing the 2 parking spaces in the loading zone for patron parking on alternate hours.

The motion was discussed.

MOTION: To approve a waiver to Section 7.2-3 for off-street parking requirements in accordance with Section 6.3-4.H. and Section 7.2-5(A) of the Zoning Regulations based on the following:

1. The applicant shall continually lease a minimum of 16 spaces.
2. The applicant shall continually participate in the Mystic Art's Center's sponsored parking validation program.
3. The applicant shall continue to provide both verbal and signage information informing customers of all parking options.
4. The applicant shall mark the 2 spaces at the rear of the patio as a loading zone for use during non-business hours.

Motion by Pritchard, seconded by Steinfeld, so voted all unanimously

MOTION: To approve SIT 14-08, as depicted by plans dated August 29, 2014, application of Jerome Properties 27-29, LLC for a restaurant at 27 West Main Street, Mystic, subject to the following modifications:

1. The Ledge Light Health District's Office shall be entitled to an additional review once the interior of the building is finalized and prior to the issuance of a certificate of occupancy.
2. The Fire Marshal's Office shall be entitled to an additional review once the interior of the building is finalized and prior to the issuance of a certificate of occupancy.
3. Technical items of staff shall be addressed.
4. The Applicant shall mark the 2 spaces at the rear of the patio as a loading area for use during non-business hours.

The Commission notes that the reduction in the parking requirements is deemed acceptable in both number and location. The required parking leases shall be kept up to date and on file with the Office of Planning and Development Services for the duration of the use.

Motion by Pritchard, seconded by Steinfeld, so voted unanimously

MOTION: To approve the Coastal Site Plan application by Jerome Properties 27-29, LLC for the proposed restaurant at 27 West Main Street based upon the following findings and conditions:

1. The Commission hereby finds that the application as modified and conditioned herein is consistent with all applicable goals and policies of

CGS 22a-92 and incorporates all reasonable measures which would mitigate adverse impacts of the proposed activity on both coastal resources, and on existing and future water dependent activities.

2. The applicant has provided a reduction in impervious coverage for the property which shall yield a positive impact on both the water quality and drainage of the Coastal Management Area.

Motion made by Pritchard, seconded by Zod, so voted unanimously.

V. OLD BUSINESS

1. Subdivision Regulation Amendments – No comment
2. Plan of Conservation and Development - Planning Commission Workshop Update – The review process is still on-going.

VI. NEW BUSINESS

1. Report of Commission

Steinford inquired about lighting at Poquonnock Plains Park, noting that when that site plan application was originally approved, one of the conditions was that no lighting was to be allowed. To that end, he has learned that a recent application to have lighting on site was possibly approved.

Staff explained that an application for a one-day temporary lighting use was recently received and will confirm if approval was given administratively.

2. Adoption of the 2015 Meeting Schedule

MOTION: To adopt the 2015 Meeting Schedule as presented

Motion made by Sherrard, seconded by Steinford, so voted unanimously

3. Town of Stonington Referral for October 21, 2014 Public Hearing
 - a. Zone Change Application Et al. – Mystic Seaport Museum, Inc.

Staff reviewed the proposal to demolish two buildings and create a new building with an exhibit hall and a new building entrance. Plans were reviewed.

Concerns were raised about the visual impact from the Groton side.

The Planning Commission, from a zoning stand point, had no problem.

MOTION: The Planning Commission feels that the visual impact of the building was entirely inconsistent with the rest of the seaport and surrounding area.

Motion made by Zod, seconded by Steinford, so voted **unanimously**

4. New Applications - None

VII. REPORT OF CHAIRMAN

Chairman Sherrard will not be at the next meeting on October 28, 2014

Steinfeld would like to get a copy of the Town's Blight Ordinance. Staff will distribute a copy at the next meeting.

Fitzgerald inquired about the status of Central Hall. Staff stated that construction has not yet begun though a second pre-construction meeting on site has been held.

VIII. REPORT OF STAFF - None

IX. ADJOURNMENT

Motion to adjourn at 8:52 p.m. was made by Pritchard, seconded by Steinfeld, so voted unanimously.

Jeffrey Pritchard, Secretary
Planning Commission

Prepared by Robin Silsby
Office Assistant II